

**To:** Region2 PAD News[Region2\_PAD\_News@epa.gov]  
**From:** Story, Karen  
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## Region 2 News

### Despite urging from feds, NJ has not asked for Hackensack River Superfund status (NORTH JERSEY NEWS; January 12, 2018)

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### Who is tasked with cleaning up N.J.'s toxic sites? A toxic banker | Editorial (STAR-LEDGER; January 12, 2018)

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A plastics manufacturer blamed for contaminated drinking water in an upstate New York village says it's disappointed village officials have voted to sue to recover costs.

## Full Articles

### Region 2 News

#### **NORTH JERSEY NEWS**

Despite urging from feds, NJ has not asked for Hackensack River Superfund status

By James M. O'Neill

January 12, 2018

Hundreds of sediment samples taken from the Hackensack River indicate that the riverbed is laced for 22 miles with a toxic cocktail made up of dozens of contaminants, from its mouth in Newark Bay up to the Oradell Reservoir.



When Bill Sheehan, the Hackensack Riverkeeper, petitioned federal officials to declare the dangerously contaminated Hackensack River a Superfund site a few years ago, the government agreed to gather hundreds of sediment samples from the river.

The results showed widespread contamination, and bolstered the argument to add the river to the Superfund program, which is designed to clean up the nation's most polluted sites.

But there was a catch.

The Environmental Protection Agency can't add a contaminated site to Superfund without a request from the state. And Bob Martin, commissioner of New Jersey's Department of Environmental Protection, wouldn't make the request.

In a recent interview with The Record and NorthJersey.com, Judith Enck, the former EPA commissioner for the region that includes New Jersey, said she asked Martin — multiple times — to send the EPA a letter so the Hackensack could be added to Superfund.

But Martin, Gov. Chris Christie's DEP commissioner, wouldn't go along.

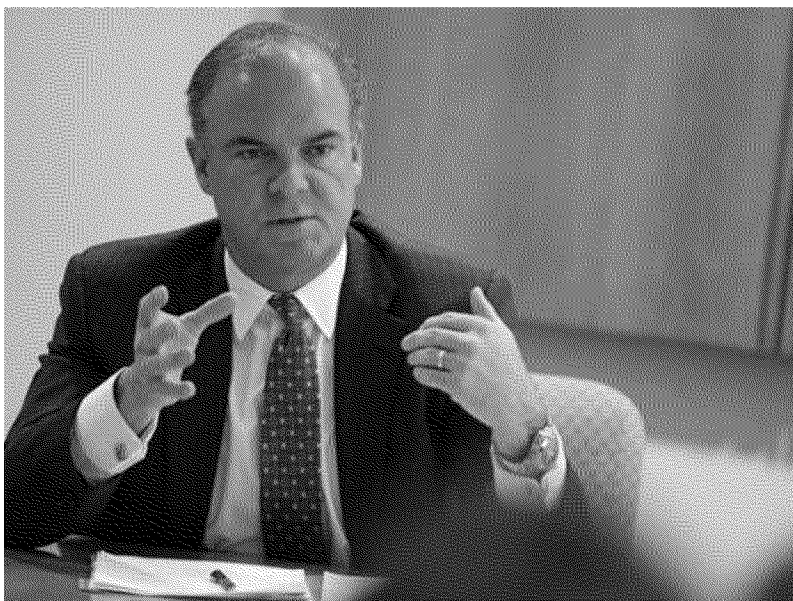


Judith Enck, former EPA regional administrator, urged New Jersey to seek Superfund status for the polluted Hackensack, but the state DEP would not go along. (Photo: Chris Pedota/NorthJersey.com)

"Was I surprised?" Sheehan said. "I wasn't pleased, that's for sure. Gov. Christie has been selling the environmental out since he took office. This DEP has referred to polluters as 'customers.'"

When asked to comment on why Martin did not request Superfund status for the Hackensack, a DEP spokesman said this week that no final decision has been made.

"DEP plans to continue discussions with EPA regarding the numerous contaminated sites associated with the waterway," DEP spokesman Larry Hajna said. "Overall, we support a path forward to improve the health of the river."



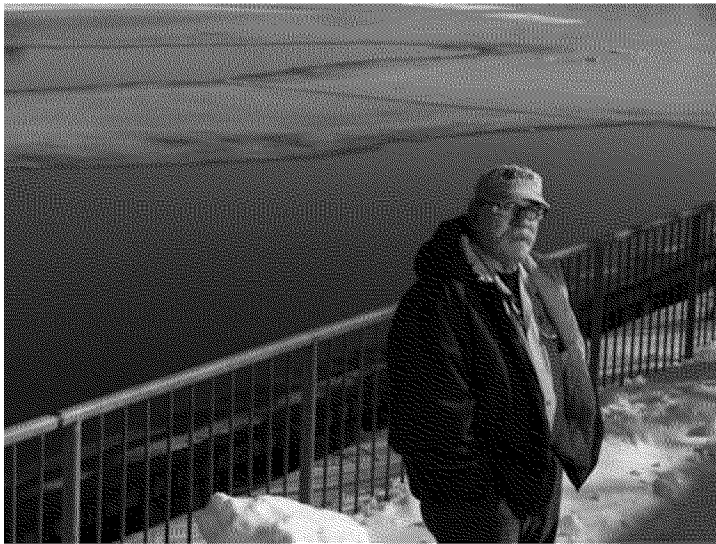
While federal environmental officials repeatedly urged state DEP Commissioner Bob Martin to push for Superfund status for the lower Hackensack River, he has not done so. (Photo: Michael Karas/NorthJersey.com)

The EPA sampling showed the riverbed is laced for 22 miles with a toxic cocktail made up of dozens of contaminants, from Newark Bay north to the Oradell Reservoir — the legacy of more than a century of industrial activity along the river's banks.

The sediment has elevated levels of cadmium, lead, mercury, cancer-causing dioxin and PCBs — enough for the EPA to conclude the river's contaminants are a potential health threat to humans and wildlife.

Several experts on river pollution agree the sediment samples show widespread contamination.

They also expressed concern that, while the danger of each contaminant is often viewed in isolation, the many Hackensack pollutants could interact, becoming even more potent risks.



Hackensack Riverkeeper Bill Sheehan with Hackensack River in the background. He petitioned the EPA to add the river as a Superfund site. (Photo: Michael Karas/NorthJersey.com)

Research has shown the Hackensack pollution causes severe abnormalities in the river's aquatic life. People who catch fish and crabs are warned not to eat them. Swimming is prohibited.

The Hackensack and its tributaries form the Meadowlands, a key spawning area for fish and vital habitat for stressed species of birds and turtles. It is a key stopover for migrating birds along the Atlantic Flyway.

Though the river water is getting cleaner and more people use the Hackensack to kayak, pollution remains in the sediment.



The Hackensack River's sediment is laced with dozens of contaminants, the legacy of over a hundred years of industrial activity along its banks. (Photo: Amy Newman/Northjersey.com)

Mercury levels in Berry's Creek, a six-mile tributary of the Hackensack that encircles MetLife Stadium, are among the highest ever recorded in a freshwater ecosystem in the United States.

Much of the contamination has come from three Superfund sites along the creek: the Ventron/Velsicol site in Wood-Ridge, where mercury was removed from discarded lab equipment, batteries and other devices; the Universal Oil Products site in East Rutherford; and the Scientific Chemical Processing site in Carlstadt, which was a waste-processing facility. The EPA oversees cleanups at each.

The highest levels of any pollutants recorded in the Hackensack sediment were found at a bend in the river between PSEG Power's now-closed energy plant in Jersey City, which used to burn coal, and the former Koppers Coke site in Kearny, which made coke, a fuel derived from baking coal.

Just up the river from the bend is the former Standard Chlorine Chemical Company property, a Superfund site once used for chemical manufacturing.

A \$1.38 billion cleanup of the Passaic River was ordered by federal officials in 2016. Scott Fallon/Northjersey.com

"The state of New Jersey did not want to nominate the Hackensack as a Superfund site," Enck said. "The EPA went ahead and did some sampling and Standard Chlorine was very much against listing and they said they're cleaning up on their own so they don't need Superfund designation.

"I think that's something that the new administration in New Jersey should look into," said Enck, who left the EPA a year ago, at the end of President Obama's tenure. "That's a heavily contaminated river and needs a thorough cleanup. This an important issue for the year ahead."

Though Gov.-elect Phil Murphy's spokesman did not respond to a request for comment, Murphy's DEP commissioner will likely view Superfund status for the Hackensack more favorably than Martin did.

Murphy recently named Catherine McCabe as his incoming DEP commissioner. She worked in various roles at the EPA since 2005, and was deputy regional administrator under Enck.

EPA is getting closer to a plan to clean up sediment laced with high levels of mercury in Berry's Creek, a tributary of the Hackensack River. James M. O'Neill/NorthJersey.com

Bill Sheehan said McCabe was present at the meetings he had with Enck when they discussed the potential for the Hackensack to be added to the Superfund program, so she is familiar with the issue.

It remains unclear how open the current EPA under President Trump would be to adding the Hackensack to Superfund. Trump and his EPA administrator Scott Pruitt have eased back on environmental regulations and called for slashing the EPA budget, though Pruitt seems somewhat more protective of the Superfund program.

A routine boat inspection on the Hudson River with the DEP, the The New Jersey Pollution Police Marko Georgiev/NorthJersey.com

One challenge to cleaning the lower Hackensack is that it is tidal, so contamination dumped in one spot can be sloshed up and down the length of the river, spreading the damage.

A cleanup could include dredging the most polluted sediment and capping less contaminated areas, similar to a nearly \$1.4 billion cleanup plan the EPA has chosen for the lower Passaic.

The EPA also would try to identify companies and local governments responsible for the Hackensack pollution. Initial research found more than 900 potential sources.

"The DEP said they wanted a cleanup to happen - they just thought Superfund was too slow and Standard Chlorine was doing some work anyway," Enck said. "But there's just too much contamination there to isolate just the one site."

## WBEN NEWS

### Residents with tainted water supplies plan statehouse rally

The Associated Press

January 12, 2018

ALBANY, N.Y. (AP) — Residents of an upstate New York village whose water supply

has been contaminated plan to hold a demonstration in Albany to call for a new source of clean drinking water.

Organizers say many Hoosick Falls residents will be joined by union members and environmental protection advocates for Friday morning's gathering outside the state Senate chamber in Albany.

Almost two years ago, the residents of the community near the Vermont border learned that their drinking water had been tainted by PFOA, or perfluorooctanoic acid. The chemical has been linked to cancer and thyroid disease.

Earlier this week, village officials voted to sue two companies for costs related to the tainted drinking water. State and federal regulators are holding the companies responsible for PFOA contamination of public and private drinking water sources.

## **STAR-LEDGER**

### Who is tasked with cleaning up N.J.'s toxic sites? A toxic banker | Editorial

**By Editorial Board**

**January 12, 2018**

There are roughly 114 Superfund sites in New Jersey, and the Trump Administration official tasked with overseeing the remediation of these toxic areas - along with a \$3.3 billion account used to fund the cleanup - is a corrupt former banker who was banned from banking by the FDIC.

If you're still confused about how this All The Best People campaign is supposed to work, join the club.

Even for Scott Pruitt, the chief vandal at the EPA, it was an extraordinary act of arrogance to appoint his personal banker, Albert Kelly, as Special Advisor in charge of Superfund. Just five months ago, the FDIC fined Kelly \$125,000 and banned him from going anywhere near other people's money - including the community bank his family has operated since the 1930s.

Regulators determined that Kelly violated unspecified laws and regulations, and demonstrated "unfitness to serve as a director, officer, person participating in the conduct of the affairs or as an institution-affiliated party of the Bank, (or) any other insured depository institution."

So Pruitt put him in charge of Superfund, because the two men are political allies from the

crumbling, dysfunctional petro-state of Oklahoma, a Choctaw term for Land of Daily Earthquakes.

Or maybe it because he values Kelly's friendship and campaign donations in a pay-to-play way that would make New Jerseyans blush.

According to a report in The Intercept, Kelly's Tulsa-area bank had given Pruitt three mortgage loans totaling \$973,000 starting in 2004, when Pruitt was making \$38,000 as an Oklahoma State Senator with no assets but a starter home and a stay-at-home wife.

Then the bank financed the purchase of a \$6.8 million minor league baseball team by Pruitt and his business partners.

(Pause here for footnote: Years after those sweetheart loans, when he was Oklahoma attorney general in 2012, Pruitt rejected mortgage relief for foreclosures left in the ashes of the Great Recession - the only AG in the U.S. to turn down federal assistance that could have kept people in their homes.)

Anyway, the friendship borne of Kelly's largesse qualified him for a crucial environmental post and a \$172,000 job that does not require Senate confirmation.

And it puts a disgraced banker near public funds that he has no business touching. His SpiritBank sank under a pile of troubled assets (mostly subprime mortgages) and it was never able to reimburse the government for its TARP bailout, leaving taxpayers losing 70 percent of the funds they laid out to save it.

Let Rep. Frank Pallone, D-6<sup>th</sup> Dist., cut to the chase: "Billions of dollars move through these (Superfund) accounts. These funds should not be entrusted to someone who has been barred from working for every financial institution from credit unions to Wall Street banks," he said.

That's what Pallone told Pruitt in a letter dated Sept. 19<sup>th</sup>, a letter that asked the EPA director what he is doing to prevent Kelly from controlling cleanup funds.

It's hard to know whether Kelly is doing anything at all, actually.

Put it this way: "Scott Pruitt is gutting the EPA every day," said Judith Enck, the former EPA Regional Administrator. "The one program he has said he does not want to dismantle is Superfund, but he does not appear to be succeeding on his singular environmental protection priority."

As Vox reported, Kelly began to consult EPA staffers in June, only to abruptly end the process to produce a cleanup plan "that altered or excluded many of the staffers' suggestions."

Meanwhile, Pallone has waited four months for a response from Pruitt, 53 million Americans live within three miles of a Superfund site, and Kelly still has a job in the federal government.

Your democracy. Cherish it.

## **NJ SPOTLIGHT**

### **State Embarks on Project to Restore 240 Acres of Liberty State Park**

**Initiative – funded by natural resources damage fund – will address contaminated fill in low-lying areas, creating in its place a ‘mosaic of ecosystems’**

**By Tom Johnson**

**January 12, 2018**

The state is embarking on an ambitious project to restore 240 acres of an interior section of Liberty State Park into a mosaic of salt marshes, wetlands, forests, and grasslands.

The Department of Environmental Protection project, involving nearly 20 percent of the park closed off to the public for decades because of contaminated fill in low-lying areas, will eventually cost tens of millions of dollars, mostly funded by past settlements with polluters.

Park advocates and conservationists, who have long clashed with the Christie administration over the state’s most-visited park, primarily over efforts to privatize the grounds, hailed the restoration effort.

“The natural restoration of the 240-acre interior section of Liberty State Park will be one of the greatest urban natural restorations anywhere, ever,” said Greg Remaud, deputy director of the NY/NJ Baykeeper.

DEP Commissioner Bob Martin said the work will begin the long-overdue restoration of an area that lies at the heart of the park, but has been off limits to the public behind a chain-link fence.

“The work we are beginning will transform this area into a mosaic of ecosystems that will be utilized by the millions of visitors who come to Liberty State Park each year, and will attract wildlife in one of the more urbanized parts of New Jersey, Martin said.

The project, building on design work already completed by the DEP, will initially focus on restoring wetlands to a 23-acre portion of the park. Trails will be connected to the existing trail system and to the adjacent Liberty Science Center.

The latest restoration plan follows almost two decades of battles to convert the property into various commercial and private ventures, including a golf course and waterpark.

“The plan will make the park an even greater, local, state, and national treasure, and be an international model for urban nature restoration — a breathtaking natural area for people’s nature experiences and for wildlife,” said Sam Pesin, president of Friends of Liberty State Park.

The project’s other phases will restore another 217 acres by creating new salt marsh, capping contaminated soil, and planting trees and grasses to establish forested and grassland areas.

The funds for the work are largely derived from natural resource damages settlements secured by the state from polluters, initiated during the time Bradley Campbell led the DEP. The Christie administration failed to initiate any such lawsuits during its eight years.

“This is New Jersey’s great urban park, and it will be made only greater through this habitat restoration effort, which will help visitors better understand and appreciate nature,” said Mark Texel, director of the DEP’s Division of Parks and Forestry.

## **BERGEN RECORD**

### **5 Bergen towns to benefit from DEP Meadowlands flooding plan**

By Rodrigo Torrejon

January 11, 2018

A plan to protect five towns in the Meadowlands region from chronic flooding has reached its final stages and could begin construction as early as 2020 and be completed by 2022.

In the Robert L. Craig School gym, engineers and representatives from the Department of Environmental Protection presented the final plan for the “New Meadowlands” project. The plan will benefit Little Ferry, Moonachie, Carlstadt, South Hackensack and Teterboro, towns prone to severe flooding from rain.

The plans call for flood mitigation through a mix of improvements to existing water channels, improvements and additions of public parks and planting trees and vegetation throughout the area to soak up rainwater. The plan also lays the groundwork for any future plans to address coastal flooding, without factoring in any construction for the

issue.

"The key here is that we've selected the best possible project which can be built by 2022 and with the funding we've been allocated," said Dave Rosenblatt, administrator of the DEP's Office of Engineering and Construction.

In 2014, the federal department of Housing and Urban Development awarded the project \$150 million in funding. The project was one of six regional winners of HUD's Rebuild By Design competition that was launched in the wake of Superstorm Sandy.



The Meadowlands Environment Center in Lyndhurst was devoid of people and any visible wildlife on a frigid Sunday. (Photo: Photos by Amy Newman/North Jersey Media Group)

The contest sought proposals that would create policy, infrastructure and environmental solutions for areas most vulnerable to storm damage. Many of the North Jersey towns in the Meadowlands region were devastated by Sandy and the 8-foot storm surge it caused.

The original proposal was an ambitious, large-scale plan to surround the entire Meadowlands region with up to 9 miles of earthen walls called berms, add a transportation system and build millions of square feet of commercial and industrial space. The price tag was also large scale, estimated at \$850 million.

"The concept that was awarded had a protect, connect and grow theme," said Chris

Benofsky, program manager for the project through Aecom, the DEP's consultant. "It also had an \$850 million price tag, which was a huge challenge."

The final plan recommended by the DEP on Thursday is a distilled version of the original proposal. This final plan addresses only rain flooding. It was designed and presented to meet budget and time constraints mandated by HUD.

"What's been one of the biggest challenges is to take that concept and turn it into something that could be constructed with the \$150 million," said Benofsky.



Lulu Loquidis makes her presentation as the New Jersey Department of Environmental Protection (NJDEP) makes a presentation on proposed flood risk reduction measures in the Boroughs of Little Ferry, Moonachie, Carlstadt, and Teterboro and the Township of South Hackensack (Photo: Viorel Florescu)

The recommended plan calls for improvements to East Riser Ditch, adding in pump stations and a water main, and the addition of parks to serve as wetlands in the area.

The plan would improve East Riser Ditch, from Starke Road to Moonachie Avenue, widening and deepening its banks to collect road runoff and planting native vegetation along its edges. A pump station would also be installed at Starke Road to move water down the ditch.

Improvements to parks would include elevated boardwalks and restoring some of the region's natural wetlands. Three new parks, dubbed Caesar Place Park, Avanti Park and Riverside Park, would be added. Caesar Place Park and Avanti Park would serve as sponges, to retain and ultimately dissipate rainwater, while adding passive recreation space to the area. Riverside Park, which would be adjacent to the Hackensack River, would serve to restore the riverbank and add up to 30,000 square feet of native plants.

The plan also calls for improvements to municipal and public buildings, such as permeable paving and trees and plants along the sidewalks to retain water until it can be drained into a new storm water drainage system underground.

Although the plan will not see any storm surge mitigation improvements constructed, Lulu Loquidis, design lead for Aecome, confirmed that the plan also included outlines for future projects. Some of these future steps include improving the remaining portion of the East Riser Ditch up to South Hackensack and adding berms and flood walls along the Hackensack River.

"We've put forward the alternative that we think accomplished the purpose and need of the project with the lowest impact," said Alexis Taylor, outreach team leader for the DEP.

## **WNYT NEWS**

### Hoosick Falls suing over polluted water

By Associated Press

January 11, 2018

A plastics manufacturer blamed for contaminated drinking water in an upstate New York village says it's disappointed village officials have voted to sue to recover costs.

Saint-Gobain Performance Plastics said in a statement that it has been working since Spring 2016 to provide Hoosick Falls residents with clean drinking water. The company said it has been in "continuous dialogue" with the village to reimburse costs.

A village attorney says officials voted Tuesday to sue Saint-Gobain and Honeywell International after negotiations failed. A sticking point is the companies want to be exempt from future claims.

Honeywell said in a statement that it's committed to continued dialogue with the village to resolve issues.

State and federal regulators are holding the companies responsible for toxic PFOA contamination of public and private wells.



